

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

**IN RE: NATIONAL COLLEGIATE
ATHLETIC ASSOCIATION STUDENT-
ATHLETE CONCUSSION LITIGATION**

MDL No. 2492

Master Docket No. 13-cv-09116

This Document Relates To:
All Cases

Judge John Z. Lee

Magistrate Judge M. David Weisman

**JOINT STATUS REPORT REGARDING LAUNCH OF
MEDICAL MONITORING PROGRAM AND MOTION FOR
APPROVAL OF COST OF SPONSORED SEARCH LISTINGS**

Pursuant to the Court's Order directing the parties to "devise a cost-effective marketing campaign to announce the commencement of the medical monitoring program and file a status report with the Court by 2/21/20" (Dkt. 583), Lead Class Counsel¹ and the NCAA's counsel submit this Joint Status Report Regarding Launch of Medical Monitoring Program and Motion for Approval of Cost of Sponsored Search Listings, stating as follows:

1. On August 19, 2019, the Court entered its Amended Final Order and Judgment Approving the Second Amended Class Action Settlement (Dkt. 558), and the Court subsequently set the Effective Date for the settlement as November 18, 2019 (Dkt. 578).

2. Under the Settlement Agreement, "[t]he Medical Monitoring Program for Settlement Class Members will begin ninety (90) days from the Effective Date." Settlement Agmt. § IV(B)(2) (ECF 28 of 105). Under this requirement, the Program Administrator for the

¹ Unless referring to an entry on the Court's docket, capitalized terms are as defined in the Second Amended Class Action Settlement Agreement and Release (Dkt. 558-1) ("Settlement Agreement").

Medical Monitoring Program, Epiq Mass Tort (“Epiq”), launched the Medical Monitoring Program on February 18, 2020. *See* “NCAA Concussion Settlement,” available at www.collegeathleteconcussionsettlement.com.

3. Following the February 5, 2020 hearing on the status of implementation of the Settlement Agreement, the Court directed the Parties to “devise a cost-effective marketing campaign to announce the commencement of the medical monitoring program.” Feb. 5, 2020 Minute Order (Dkt. 583).

4. Since the February 5, 2020 status hearing, counsel for the Parties, along with Epiq, have engaged in extensive efforts to efficiently and cost-effectively publicize the launch of the Medical Monitoring Program. Such efforts have included and/or will include:

- a. The creation and issuance of a press release by the NCAA;
- b. The creation and issuance of a press release by Lead Class Counsel Hagens Berman Sobol Shapiro LLP (“Hagens Berman”);
- c. Epiq’s issuance of approximately 17,000 e-mails announcing the launch of the Medical Monitoring Program to individuals who requested to have their names added to a mailing list for purposes of receiving periodic updates regarding the litigation;
- d. Posting information about the launch of the Medical Monitoring Program on certain of the NCAA’s social media pages and the NCAA’s litigation-specific webpage available at <https://www.ncaa.org/about/resources/media-center/news/medical-monitoring-program-launches-ncaa-student-athletes>; and
- e. Posting information about the launch of the Medical Monitoring Program on Hagens Berman’s social media pages and the firm’s litigation-

specific webpage available at <https://www.hbsslaw.com/cases/ncaa---concussion-cases>.

5. In addition, pursuant to Section IV(A)(2)(c) of the Settlement Agreement, the Parties respectfully request that the Court authorize Epiq to incur up to \$10,000 in costs to be paid from the Medical Monitoring Fund to generate and place sponsored search listings for approximately one to two months. *See* Notice Estimate at Exhibit A. The sponsored search listings would run nationally across the Google, Bing and Yahoo search engines. When search-engine users perform a search using common keyword combinations—for example, “NCAA Class Action,” “Concussion Lawsuit,” or “Medical Monitoring Settlement”—the sponsored search listing generally would be displayed at the top of the page before the search results or in the upper right-hand column of the web-browser screen. *See* Exemplar Posting at Exhibit B. The search listings would be brief and would direct individuals to the website for more information.

6. The Parties believe that these sponsored search listings coupled with the publication efforts described above will serve to effectively and efficiently announce the launch of the Medical Monitoring Program.

WHEREFORE, the Parties respectfully request that the Court authorize Epiq to incur up to \$10,000 in costs to be paid from the Medical Monitoring Fund to generate and place sponsored search listings announcing the launch of the Medical Monitoring Program and grant such other relief as it deems appropriate.

Date: February 21, 2020

Respectfully submitted,

By: /s/ Robert C. Collins III

By: /s/ Daniel J. Kurowski

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that on February 21, 2020 a true and correct copy of the foregoing was filed electronically via CM/ECF, which caused notice to be sent to all counsel of record.

By: /s/ Daniel J. Kurowski